

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. **CV 11-3480 FMO (CWx)** Date **May 18, 2016**

Title **James Estakhrian, et al. v. Mark Obenstine, et al.**

Present: The Honorable Fernando M. Olguin, United States District Judge

Julieta Lozano

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorney Present for Plaintiff(s):

Attorney Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) Order Re: Ex Parte Application and Referral to Special Master

Having reviewed and considered the briefing filed with respect to plaintiffs' Ex Parte Supplemental Motion for Sanctions (Dkt. 450, "Ex Parte Application"), IT IS ORDERED that:

1. Plaintiffs' Ex Parte Application (**Document No. 450**) is **denied without prejudice**.

2. The Ex Parte Application is referred to the Special Master for a decision and/or recommendation.

3. Plaintiffs' counsel shall, no later than three (3) business days from the filing date of this Order, provide the Special Master with copies of all the papers relating to the Ex Parte Application. The Special Master may, at her discretion, order additional briefing and conduct additional proceedings as she deems appropriate.

4. Plaintiffs may, no later than 21 days from the filing date of this Order, file a motion with the Special Master as to whether Obenstine's attorney, Harry Safarian, has unreasonably and vexatiously multiplied the proceedings in this action, entitling plaintiffs to costs, expenses, and attorney's fees reasonably incurred. See 28 U.S.C. § 1927; Dunbar v. Cty. of Maui, 2008 WL 199908, *2 (D. Haw. 2008) (order adopting report of special master regarding sanctions pursuant to 28 U.S.C. § 1927).

5. The Clerk shall serve a copy of this Order to the Special Master.

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